



Atty. Dkt. No. 087147-0494

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshiyuki INADA et al.
Title: PHARMACEUTICAL COMPOSITION FOR
ANGIOTENSIN II-MEDIATED DISEASES
Appl. No.: 10/781,263
Filing Date: 2/19/2004
Examiner: Sun Jae Y. LOEWE
Art Unit: 1626
Confirmation Number: 3131

PETITION UNDER 37 C.F.R. § 1.47(a) and 37 C.F.R. §1.182

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.47(a) and the guidelines set forth in M.P.E.P. § 409.03, a request is hereby made to accept the Substitute Reissue Declaration without the signature of inventor Yoshiyuki Inada because he can not be reached to sign the Substitute Reissue Declaration, complying with 37 C.F.R. § 1.175. A Substitute Reissue Declaration complying with 37 C.F.R. § 1.175 signed by the remaining joint inventor, Keiji Kubo, is included herewith.

The required description of the pertinent facts concerning attempts made to obtain Dr. Inada's signature on the Substitute Reissue Declaration complying with 37 C.F.R. § 1.175, are provided below.

1. The named inventors of the above-identified application are as follows:

Yoshiyuki Inada

Keiji Kubo

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2. The last known address of Yoshiyuki Inada is: 3-6, Matsugaoka-Cho, Kawanishi-City, Hyogo, Japan.
3. Attention is directed to the following attempts to contact Dr. Inada to inform him that his signature was needed on a Declaration complying with 37 C.F.R. § 1.175 in connection with the above-identified reissue application:
 - On June 16, 2008, Naoto Fujikawa, an Administrator employed by Assignee Takeda Pharmaceutical Company, Ltd., sent a letter to Dr. Inada at the above address informing him that his signature was needed on a Declaration for the present reissue application, and requesting that Dr. Inada contact Mr. Fujikawa to discuss the detail of the Declaration face to face (see Exhibit A, with English translation).
 - Delivery to Dr. Inada at the above address was attempted on June 18, 2006, and again on June 26, 2006. Delivery could not be made due to Dr. Inada's absence (see Exhibit B, with English translation).
 - No communication from Dr. Inada has been received.
4. Takeda Pharmaceutical Company Limited is the Assignee of the present application, by virtue of an assignment from Yoshiyuki Inada and Keiji Kubo recorded in the Patent and Trademark Office on February 22, 1995, in grandparent application 08/351,011, at Reel 7364, Frame 0232; and a change of name from Takeda Chemical Industries, Ltd. to Takeda Pharmaceutical Company Limited recorded in the present application at Reel 015864, Frame 0954. A Consent of Assignee is submitted herewith. It is further submitted that the filing of this application is necessary to preserve the rights of the Applicants, namely the remaining inventor and Takeda Pharmaceutical Company Limited. See MPEP § 409.03(g).
5. In view of the above facts and supporting documents, it is believed that Dr. Inada can not be reached to executed the Substitute Reissue Declaration Under 37 CFR 1.175. Therefore, the undersigned petitions the U.S. Patent and Trademark Office, in accordance with 37 C.F.R. § 1.47(a) to accept the accompanying Substitute Reissue Declaration from the remaining joint inventor.

To the extent necessary, the undersigned hereby petitions under 37 C.F.R. § 1.182 for acceptance of the partially executed Substitute Reissue Declaration under 37 C.F.R. 1.47(a) even though the inventor that can not be reached, Yoshiyuki Inada, has not been presented

presented with the Response filed simultaneously herewith. It is the Assignee's policy not to forward such documents by mail, but rather to discuss and obtain inventor's signatures on such Declarations in person.

The fee for this Petition is \$200.00 (37 CFR §1.17(g)). A credit card payment for this amount is enclosed herewith. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, including the Petition fee under 1.17(f) of \$400.00 for a Petition Under 37 C.F.R. § 1.182 if required, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

The undersigned states declares further that all statements made herein are true and that all statements made herein on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

If there are any questions regarding the above, please contact the undersigned.

Respectfully submitted,

Date

Sept. 9, 2008

By

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